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Honorable Dale E. Ho
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

January 16, 2024

Re: Sirius Technology Advanced Research LLC, et. al. v. Chicken Soup for
the Soup Entertainment Inc., et. al.
Case No. 23-cv-9560 (DEH)


Dear Judge Ho:

This firm represents defendants Chicken Soup for the Soul Entertainment Inc. and TOFG LLC d/b/a 1091 Pictures ("Defendants") in the above-referenced action. I will be on vacation and not available for the initial conference scheduled for January 24, 2024. I notified plaintiffs' counsel several weeks ago of this conflict and again on January 12, 2024 and suggested we reschedule the conference for a mutually convenient date in February and suggested several new dates.

Instead, plaintiffs' counsel provided a case management plan with dates tied to the January 24 conference date. Given that I will be on vacation for many of the dates or just returning, I suggested to plaintiffs' counsel Derek Garcia that we adjourn the initial conference a few short weeks and thereby change the dates he suggested. Mr. Garcia was not amenable to rescheduling the conference. I cannot agree to Mr. Garcia's time frame which would prejudice me and my clients and am seeking a short adjournment of the conference given my vacation plans.

I am available for an initial conference on February 7, 8, 9, 13, 14, 15, 16, 20 and 21, 2024.

Respectfully submitted,



Caryn L. Marcus

cc: Derek Garcia, Esq.